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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,892	09/09/2003	Giorgio Bertero	03-551	3185

34704 7590 06/16/2005

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SUITE 1201  
NEW HAVEN, CT 06510

EXAMINER

ESHETE, ZELALEM

ART UNIT	PAPER NUMBER
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3748

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/658,892

Applicant(s)

BERTERO, GIORGIO

Examiner

Zelalem Eshete

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: The numeral representing the secondary device (26) is not shown in the figure and it appears to be a typo for it should have been (24). Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al. (6,491,010) in view of Sakurai et al. (5,724,930).

Regarding claim 1: Kawamoto discloses a control system for the valves of an internal combustion engine with two V lines of cylinders (see figure 4), comprising a secondary shaft to control the camshafts by means of chain or toothed belt transmission devices (see numeral 301), basically located at the center of the V on the plane passing through the axis of the driving shaft of the internal combustion engine (see numeral 24), and actuated by it by means of the chain or toothed belt device (see figure 4).

Kawamoto fails to disclose the timing system device controlling the secondary shaft is adapted to simultaneously control a secondary device of said internal combustion engine.

However, Sakurai teaches the timing system device controlling the secondary shaft is adapted to simultaneously control a secondary device of said internal combustion engine (see figure 2; column 7, lines 1-7).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kawamoto's device by providing a secondary device arrangement as taught by Sakurai in order to optimize the system by utilizing the available power to drive accessories as taught by Sakurai.

Regarding claim 2: Sakurai discloses the secondary device is a pump for the cooling liquid (see figure 2, numeral 82; column 7, lines 1-7).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al. (6,491,010) in view of Sakurai et al. (5,724,930) as applied to claim 1 above and further in view of Koyama et al. (6,568,363).

Kawamoto as modified above discloses the claimed invention as recited above; and Sakurai further discloses a number of engine auxiliaries may be driven of which a water pump is given as an example for the secondary device (see column 7, lines 1-7).

Kawamoto as modified above fails to specifically disclose the secondary device is a generator.

However, Koyama teaches driving auxiliaries devices that includes a generator (see column 5, lines 55 to 60).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Kawamoto as modified above by replacing any one of the auxiliaries as taught by Koyama in order to apply the principle to various well known engine auxiliaries.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zelalem Eshete whose telephone number is (571) 272-4860. The examiner can normally be reached on Monday to Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zelalem Eshete  
Examiner  
Art Unit 3748



  
**THOMAS DENION**  
SUPERVISORY PATENT EXAMINER  
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